IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FIRST DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 11067 of 2004

Between:
1. M. Nagarajareddy, S/o. Late Sundara Rajulu,
R/o. H.No. 7/23, Vepamanu Street, Tiruchanoor,
Tirupathi Rural Mandal, Chittoor District.
2 Smt. M. Devi, W/o. M. Nagaraja Reddy,
R/o. H.No. 7/23, Vepamanu Street, Tiruchanoor,
Tirupathi Rural Mandal, Chittoor District.

.....PETITIONER(S)

AND

The Gram Panchayat, rep. by its Panchayath Secretary,
Tiruchanoor Village, Tirupathi Rural Mandal, Chittor District.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction, more particularly a Writ in the nature of Mandamus, declaring the action of the respondent in trying to demolish the school building belonging to the petitioners situate at S.No. 418 of Tiruchanoor Village, Tirupathi Rural Mandal of Chittoor District, without issuing any notice or opportunity, without following the due process of law as being illegal, arbitrary and unjust and violative of Articles 14, 21 and 300-A of the Constitution of India and consequently direct the respondent not to demolish the same without following the due process of law.

Counsel for the Petitioners: MR.C.A.R.SESHAGIRI RAO, Advocate

Counsel for the Respondent: SMT.G.JYOTHI KIRAN, SC

The Court at the admission stage made the following :

ORDER:

Heard the learned counsel for the petitioners and the learned Standing Counsel for the respondent-Gram Panchayat and with their consent the writ petition itself is taken up for final disposal at the admission stage.

Assailing the action of the respondent in trying to demolish the structures and compound wall on the land belonging to the petitioners situated at survey No.418 of Tiruchanoor village, Tirupathi Rural Mandal of Chittoor District, without issuing any notice or without following due process of law, the petitioners filed the present writ petition.

Inasmuch as there appears to be a border dispute involved in this writ petition, the officials of the respondent-Gram Panchayat have no role to play, and the proper remedy of the petitioners is to approach the competent civil court and seek necessary relief.

Accordingly, the writ petition is dismissed. No costs.

N.V. RAMANA, J

Date: 01-07-2004

Svv

To

1. The Panchayath Secretary, Gram Panchayat, Tiruchanoor Village,
   Tirupathi Rural Mandal, Chittor District.
2. Two CD copies.